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December 19, 1997

Secretary
Federal Communications Commission
1919 M Street, Suite 222
Washington, D.C. 20554

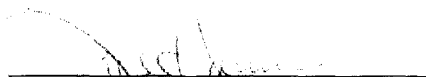
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FEDERAL COMMUNICATIONS COMMISSION

Dear Sir or Madam:

Enclosed please find an original and nine (9) copies of comments prepared by the City of Richardson, Texas in response to the Second Notice of Proposed Rulemaking for Docket 96-86. The City of Richardson is pleased with the opportunity to provide input regarding this critical document.

If there are any questions regarding the above referenced submission, please do not hesitate to contact me at (972)238-3818.

Sincerely,


Joe Hanna, Captain
Communications Division
Richardson Police Department
City of Richardson, Texas

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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DEC 22 1997

In the Matter of)
)
The Development of Operational,)
Technical and Spectrum Requirements)
For Meeting Federal, State and Local)
Public Safety Communications)
Requirements Through the Year 2010)

WT Docket 96-86

To: The Commission

**COMMENTS OF THE CITY OF RICHARDSON, TEXAS
IN RESPONSE TO
SECOND NOTICE OF PROPOSED RULEMAKING**

The City of Richardson, Texas hereby submits the following comments in response to the Commission's Second Notice of Proposed Rulemaking in the above-captioned proceeding, FCC 97-373, released October 24, 1997.

The City of Richardson, Texas is located in northern Dallas County. Serving as the North American headquarters for Ericsson, Northern Telecom, Alcatel, and with major facilities for companies such as MCI and Fujitsu, the City of Richardson has been recognized as the telecommunications capital of the United States. The City of Richardson has also received recognition in four national communication-related publications as having one of the premier public safety communications centers in the nation. The City of Richardson actively participated in the Public Safety Wireless Advisory Commission (PSWAC) process and has maintained active participation in the Region 40 National Public Safety Planning Advisory Committee (NPSPAC) process since the inception of that effort.

The City of Richardson commends the Commission for its vision in setting aside 24 MHz of spectrum for public safety. The Commission is reminded, however, that this allocation represents only 20 percent of the spectrum needs identified in the PSWAC report. The Commission is encouraged to continue its efforts to identify and allocate spectrum vital to public safety communications in other frequency bands populated by public safety users.

The City of Richardson is supportive of the comments submitted by the National Public Safety Telecommunications Council (NPSTC) and the Association of Public Safety Communications Officials, Inc. (APCO) related to the proposed spectrum in the 746-806 MHz band. Based on the critical shortage which directly impacts the Dallas-Ft. Worth metroplex, the City of Richardson urges the Commission to move with the greatest urgency to finalize rules for the assignment and use of this newly assigned spectrum.

ENSURING EFFECTIVE SPECTRUM USE:

Of critical concern to the City of Richardson is the issue by which planning will take place to ensure the most efficient use of the 24 MHz spectrum identified through the current Commission action. As noted above, the City of Richardson has been an active participant in the regional planning process established through the NPSPAC process. With representation since the creation of NPSPAC Region 40, the City of Richardson has witnessed the effectiveness of regional planning as a tool to identify needs, allocate available spectrum, facilitate interoperability procedures, oversee giveback programs, and provide technical assistance to public safety agencies who otherwise lack the expertise to effectively make use of available communication-related resources. The NPSPAC

Region 40 Committee has served as a model of efficiency and effectiveness in managing the last block of spectrum dedicated to public safety. Unfortunately, the limited spectrum made available through the NPSPAC process has long been exhausted in the Dallas-Ft. Worth metroplex. As the Commission is operating under a mandate to allocate the 24 MHz of identified spectrum within a short time frame, the City of Richardson strongly recommends that the Commission utilize the existing regional planning process.

Clearly, the current regional planning process will need refinement to allow for timely, quality service delivery. The City of Richardson recommends that a broad-based national plan or framework be developed to provide general guidance for established regions. A significant deficiency of the NPSPAC regional planning process relates to funding for the planning process. While the North Central Texas Council of Governments (NCTCOG) has been gracious in its support of the Region 40 planning process, numerous regions throughout the United States have not been as fortunate. As no funding source has been proposed by the Commission, the City of Richardson would recommend that a modest surcharge be added to each application made within the 746-806 MHz band which could be funneled to an entity willing and technically able to oversee this planning process. This entity would in turn provide limited funds to the regional planning committees to implement the planning process in a timely and professional manner.

To ensure maximum efficiency in the allocation of this newly identified spectrum, the City of Richardson also encourages the Commission to identify a mechanism to establish a common database for frequency coordination. With the introduction of competition in the frequency coordination arena, it is essential that a common database be

established and maintained to minimize potential conflicts in spectrum management. The above referenced application surcharge would again be an excellent funding mechanism for this common database.

INTEROPERABILITY:

The Commission is again commended for its recognition of the critical issue of interoperability. Clearly, interoperability was one of the key elements identified in the final PSWAC report. The City of Richardson, however, perceives an over-reaction on the part of the Commission on the interoperability issue. While there is a clear need for the establishment of spectrum in the 746-806 allocation for interoperability, the City of Richardson believes that this set aside should be tempered with reality.

As noted throughout the PSWAC report, public safety communication systems cover a wide range of spectrum. One of the greatest needs for interoperability lies in disaster situations where federal, state, and local public safety personnel are thrust into a singular operation. As few federal or state public safety agencies operate above the 450 MHz band, a massive set aside of 746-806 spectrum for dedicated interoperability will be of little benefit. Virtually no Federal public safety or disaster relief agencies currently operate in any spectrum above the 450 MHz band. Without the development of inexpensive dual-band subscriber equipment (often perceived as a mutually exclusive concept within the manufacturing community), a massive set aside of channels in the 746-806 MHz band exclusively for interoperability will be of little practical benefit. Again drawing from the NPSPAC process, the Region 40 committee has developed a

highly effective interoperability plan for agencies throughout the region using minimal dedicated spectrum.

From a technological perspective, the City of Richardson strongly recommends that any spectrum set aside for voice interoperability in the 746-806 MHz band be based on analog technology. The very nature of interoperability is grounded on the principle of providing communications at the lowest common denominator. As the overwhelming percentage of the imbedded base within public safety currently utilizes analog technology for voice communication, any interoperability standard tied to digital technology would potentially disenfranchise a significant, if not overwhelming, percentage of current public safety users.

ELIGIBILITY AND LICENSING:

The City of Richardson strongly recommends that the Commission recognize and respect the definition of public safety addressed in the PSWAC final report. As noted above, the proposed 24 MHz allocation represents only 20 percent of the identified public safety need. Any dilution of the PSWAC public safety definition as applied to users who would be eligible for licensing of spectrum within the 746-806 band would seriously erode access to this spectrum by essential users.

PROTECTION OF TELEVISION SERVICES:

While the City of Richardson commends the Commission for the allocation of spectrum in the TV channel 60-69 band, this allocation is of limited practical use in the major urban markets where public safety faces the most critical spectrum shortages.

Specifically, of the four TV channels identified for use by public safety, one channel is currently occupied in the Dallas-Ft. Worth area. Channel 68 is currently occupied by a low-power station broadcasting “infomercials.” Under the current situation, only two of the four proposed TV channels are realistically available for use by public safety in the Dallas-Ft. Worth metroplex. While the City of Richardson clearly understands the investment made by commercial broadcast companies, the time line for the migration of TV broadcast use from the identified channels (i.e. channels 63, 64, 68, 69) must be aggressively addressed by the Commission. If this issue is not addressed, any notion of a public safety allocation in the major-city markets where the need is the greatest and current spectrum availability is non-existent becomes little more than a shell game.

CONCLUSION:

The City of Richardson commends the Commission for its vision in proposing this historic plan for public safety spectrum. The City of Richardson strongly encourages the Commission to act on the recommendations made by the NPSTC, APCO, and the comments provided within this document to deliver critically needed radio spectrum to public safety users throughout the United States in an expeditious manner.

Respectfully submitted,

CITY OF RICHARDSON

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